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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAWRENCE HACKSHAW,
Plaintiff,

(In the space above enter the full name(s) of the plaintiff(s).)

~~LAWRENCE HACKSHAW~~

-against-

OFFICER PAUL URQUIAGA, SHIELD #2771
DETECTIVE STEVEN SWINDELL, RETIRED
SERGEANT RHETT BARRETT, SHIELD #02428
LIEUTENANT THOMAS SLATTERY, RETIRED
ADA JENNIFER BOENTELLO
INVESTIGATOR STANLEY SCHIFFMAN

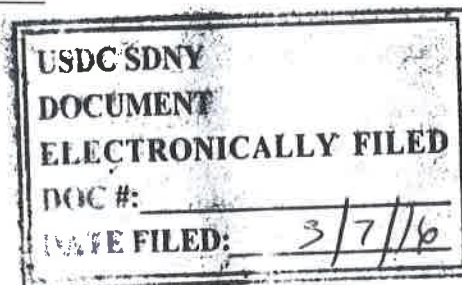
AMENDED
COMPLAINT

under the Civil Rights Act,
42 U.S.C. § 1983

Jury Trial: ☒ Yes ☐ No
(check one)

15 Civ. 04005 (ER)

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)



I. Parties in this complaint:

- A. List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff's

Name LAWRENCE HACKSHAW
ID# 15R1245
Current Institution WYOMING CORRECTIONAL FACILITY
Address 3203 DUNBAR ROAD, POST OFFICE BOX 501
ATTICA, NEW YORK 14011-0501

- B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name Paul Urquiga Shield # 2771
Where Currently Employed New York City Police Department Strategic Response Group
Address 1278 Sedgwick Avenue
Bronx, New York 10452

Defendant No. 2 Name Steven Swindell Shield # Retired
Where Currently Employed Police Plaza, Room 1406 Retired
Address 1 Police Plaza, Room 1406
New York, New York 10038

Defendant No. 3 Name Rhett Barrett Shield # 02428
Where Currently Employed New York Police Department 110th Precinct
Address 9441 43rd Avenue
Elmhurst, New York 11373

Who did what?

Defendant No. 4 Name Thomas Slattery Shield # _____
Where Currently Employed Retired
Address 1 Police Plaza, Room 1406
New York, New York 10038

Defendant No. 5 Name Jennifer Boentello Shield # _____
Where Currently Employed Bronx County District Attorney's Office
Address 198 East 161st Street
Bronx, New York 10451

Defendant NO. 6 - see Attachment

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur?

N/A

B. Where in the institution did the events giving rise to your claim(s) occur?

N/A

C. What date and approximate time did the events giving rise to your claim(s) occur?

July 6th 2010 4:30

D. Facts: SEE Attachment

What happened to you?

Was
anyone
else
involved?

Who else
saw what
happened?

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received.

SEE ATTACHMENT

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

Yes _____ No

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

NA

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes _____ No _____ Do Not Know _____

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes _____ No _____ Do Not Know _____

If YES, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes _____ No _____

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes _____ No _____

E. If you did file a grievance, about the events described in this complaint, where did you file the grievance?

1. Which claim(s) in this complaint did you grieve?

2. What was the result, if any?

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

2. If you did not file a grievance but informed any officials of your claim, state who you informed, when and how, and their response, if any:

- G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the Court to do for you (including the amount of monetary compensation, if any, that you are seeking and the basis for such amount). ~~SEE ATTACHMENT~~ SEE ATTACHMENT

On
these
claims

VI. Previous lawsuits:

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes _____ No ☒

- B. If your answer to A is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another sheet of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff _____
Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes _____ No _____
If NO, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

On
other
claims

- C. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes ☒ No _____

- D. If your answer to C is YES, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to the previous lawsuit:

Plaintiff Lawrence Halpshaw
Defendants Correctional Officers

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes ☐ No ☒ 11/25/2014
If NO, give the approximate date of disposition _____
7. What was the result of the case? (For example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) Settlement

I declare under penalty of perjury that the foregoing is true and correct.

Signed this _____ day of _____, 20____.

Signature of Plaintiff

Inmate Number

Institution Address

15R1245

Wyoming Correctional Facility

3203 Dunbar R.D.

P.O. Box 501

Attica N.Y 14011-0501

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 3 day of March, 2016 I am delivering this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff:

Lanamer Hackshaw

Defendant No. 6] Name: Stanley Schiffman Shield#:
Where Currently Employed: Bronx County District Attorney office
Address: 198 East 161st Street
Bronx, New York 10451

II. Statement of Claim:

D. FACTS: The events began the 6th Day of July 2010 when I was falsely arrested by Officer Paul Urquiaga, Shield ~~2771~~ 2771 of the NYPD Strategic Response Group and Sergeant Rhett Barrett, Shield NO. 02428 of the 110th Precinct. I walked up to where the event had took place, As it was happening I tried to stop the Incident because one of the people involved was someone I know. The Officers Arrested the man who did the Stabbing as well as myself and at the end of the whole ordeal the man who did cause the injury was convicted due to the evidence linking to the Incident. Now the parties mentioned above said that there was a witness who identified me as said person who assaulted the victim because they put me with the person who committed the charge and asked the said witness in an unfair way if He/She recognized me. Officer Paul Urquiaga and Sergeant Rhett Barrett maliciously got the witness to identify me. For more then a year and a half I was held unlawfully in Prison and deprived of my Life, Liberty, and Property, Without due Process of the Law.

II. Statement of Claim:

D. FACTS: Then the Twenty Fifth (25th) Day of September 2012 the Criminal Charges that I was unlawfully Imprisoned for was dismissed. As it applies in the instant case, the Language of the Fifth Amendment is clear:

- No person Shall be... deprived of Life, Liberty, or property without due process of Law.
- The essential Elements of due process of Law are... NOTICE and the opportunity to defend.
- There should be arbitrary deprivation of Life, or Liberty.

In the Instant case, the STATE, by Applying Commerical statutes to all. Entities, Natural and artificial persons alike, Has deprived this Free and Natural Person of the Right of Liberty, without Cause and without due process of Law.

II. Injuries:

The damages for Wrongful Imprisonment may Include, Lost wages, damages for mental anguish and Loss of Liberty. The mental Pain suffered while in Prison. Includes discomfort, Fear, lack of privacy and degradation. The damages for loss of Liberty Includes damages for loss of the Fundamental right to be free, lost opportunities to engage in everyday Interaction while in prison, and for the mental anguish that accompanies loss of Liberty. The measure of damages for Wrongful Imprisonment is Such ~~4~~ Sum as will Fairly and reasonably Compensate the injured Party for injuries caused by the defendants wrongful action. Which set foundation for One point six million [1,600,000.00] for Unlawfully Imprisonment per day.

V. RELIEF:

Because of the False Arrest, malicious prosecution, unlawfully Imprisonment, emotional distress, deformation of Character, Loss of Liberty, depression, Paranoia and Continuous pain and Suffering, I am seeking Forty-Five million, Seven hundred and Fifty Thousand for unlawfully Imprisonment, False Arrest, Malicious Prosecution. For my other injuries I am seeking Fifty-Five million in financial Compensation.

Exhibit

A

SUPREME COURT OF THE STATE OF NEW YORK
BRONX COUNTY
265 EAST 161 STREET
BRONX, NY 10451

NO FEE

CERTIFICATE OF DISPOSITION DISMISSAL

DATE: 08/28/2013

CERTIFICATE OF DISPOSITION NUMBER: 76149

PEOPLE OF THE STATE OF NEW YORK
VS.

CASE NUMBER: 02876-2010
LOWER COURT NUMBER(S): 2010BX042655
DATE OF ARREST: 07/06/2010
ARREST #: B10655485
DATE OF BIRTH: 06/11/1982
DATE FILED: 08/06/2010

HACKSHAW, LAWRENCE
CLAXTON, KEITH (AKA)

DEFENDANT


I HEREBY CERTIFY THAT IT APPEARS FROM AN EXAMINATION OF THE RECORDS ON FILE IN THIS OFFICE THAT ON 09/25/2012 THE ABOVE ACTION WAS DISMISSED AND ALL PENDING CRIMINAL CHARGES RELATED TO THIS ACTION WERE ALSO DISMISSED BY THE HONORABLE CARTER, JOHN THEN A JUDGE OF THIS COURT.

THE DEFENDANT WAS DISCHARGED FROM THE JURISDICTION OF THE COURT.

THE ABOVE MENTIONED DISMISSAL IS A TERMINATION OF THE CRIMINAL ACTION IN FAVOR OF THE ACCUSED AND PURSUANT TO SECTION 160.60 OF THE CRIMINAL PROCEDURE LAW "THE ARREST AND PROSECUTION SHALL BE DEEMED A NULLITY AND THE ACCUSED SHALL BE RESTORED, IN CONTEMPLATION OF LAW, TO THE STATUS OCCUPIED BEFORE THE ARREST AND PROSECUTION".

PURSUANT TO SECTION 160.50(1C) OF THE CRIMINAL PROCEDURE LAW, ALL OFFICIAL RECORDS AND PAPERS RELATING TO THIS CASE ARE SEALED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL ON THIS DATE 08/28/2013.


COURT CLERK

WYOMING CORRECTIONAL FACILITY
P.O. BOX 501
ATTICA, N.Y. 14011-0501

NAME: Lawrence Hackshaw DIN: 15-R-1245

~~SECRET~~

Clerk
United States District Court
Southern District of New York
The Daniel Patrick Moynihan United States Courthouse
500 Pearl Street - New York, N.Y. 10007-1313

3/14/16
pre

USMA
SDNY

WYOMING
CORRECTIONAL
FACILITY



UNITED STATES
03 MAR 2016
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